



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"



Tim Gallagher, Director

March 30, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION INITIATING PROCEEDINGS FOR
ESTABLISHMENT OF FISCAL YEAR 2004-05 ANNUAL ASSESSMENTS
FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT
(LLA) DISTRICT NOS. 1, 2 AND 4 AND FOR
THE PREPARATION OF ENGINEER'S REPORTS IN REGARDS TO
ASSESSMENTS AND AN AMENDMENT TO AN EXISTING RATE AND METHOD OF
APPORTIONMENT AND ANNEXATION OF TERRITORY
(1st, 3rd, 4th and 5th Districts - Three-Vote Matter)**

IT IS RECOMMENDED THAT YOUR BOARD

1. Adopt the attached Resolution Initiating Proceedings for the levying of annual assessments for landscape and park maintenance purposes for Los Angeles County Landscaping and Lighting Act (LLA) Districts 1, 2 and 4 and Zones therein, pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, and as provided by Article XIID of the California Constitution and including an amendment to the rate and method of apportionment in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for annual increases and to change the basis for determining assessments from a per parcel basis to an equivalent dwelling unit basis for the assessments and also including the annexation of one new zone, Fair Oaks Ranch Zone No. 65, Annexation 2 into LLA District No. 4 .
2. Designate the Director of the Department of Parks and Recreation as the "Engineer" for purposes of implementing this procedure.

The Honorable Board of Supervisors
March 30, 2004
Page 2

3. Instruct the Director of the Department of Parks and Recreation to prepare and file an Engineer's Report in accordance with Article 4 (commencing with Section 22565) of Chapter 1, Part 2, Division 15 of the Streets and Highways Code of the State of California, including an amendment to the rate and method of apportionment in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for annual increases to the assessment and the annexation of one new zone, Fair Oaks Ranch Zone No. 65, Annexation 2, into LLA District No. 4.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is for your Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes by directing this Department to prepare the required annual Engineer's Report, which will include an amendment to the rate and method of apportionment in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for annual increases to the assessment and changes in determining assessments and the annexation of one new zone, Fair Oaks Ranch Zone No. 65, Annexation 2 (to be known as Fair Oaks Park), into LLA District No. 4.

This Board action only initiates the assessment process and does not, in itself, establish any assessment rates.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of Los Angeles County Valencia Area-Wide LLA District No. 1 and County LLA Districts No. 2 and No. 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered Landscaping and Lighting Act Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15, of the Streets and Highways Code of the State of California. As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for the 2004-05 Fiscal Year.

Proceedings regarding the proposed amendment to the rate and method of apportionment and method of determining assessments in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates, and the annexation of Fair Oaks Ranch Zone No. 65, Annexation 2 (to be known as Fair Oaks Park), into LLA District No. 4 will be considered pursuant to a future Resolution of Intention, as required by the Streets and Highways Code of the State of California and as provided by Article XIID of the California Constitution.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goals of Service Excellence (Goal One) and Fiscal Responsibility (Goal Four). These recommendations, in compliance with the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution, will allow the County to service and maintain the park, landscaping and appurtenant facilities that benefit those that live within these zones.

FISCAL IMPACT/FINANCING

All services provided in the Districts, and Zones therein, are funded by the assessments established by the Board of Supervisors. There is no fiscal impact to the General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Landscaping and Lighting Act (the Act) sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution have established procedures that must be followed for the levy of any new or increased assessments. The Act requires that the legislative body adopt a Resolution Initiating Proceedings, and generally describes any proposed improvements or substantial changes in existing improvements. The legislative body must also order the Engineer to prepare and file a report in accordance with Section 22565 et seq. of the Streets and Highways Code.

The Honorable Board of Supervisors
March 30, 2004
Page 4

Over the next two months, we will submit for your Board's approval the required Engineer's Report and Resolution of Intention setting the public hearing date to establish the assessments for Fiscal Year 2004-05. A resolution ordering the proposed amendment to the rate and method of apportionment and annexation will also be submitted.

Pardee Homes, as property owner, has requested the annexation of a new zone, to be known as Fair Oaks Park, into the existing LLA District No. 4 for maintenance purposes. An amendment to the existing rate and method of apportionment will be proposed for the existing LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and also for the existing Zone No. 69 Westcreek Canyon Estates, in the form of an inflation adjuster, based on the Consumer Price Index.

County Counsel has approved the enclosed Resolution as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, County Counsel and Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,



Tim Gallagher
Director

RR:ka:BdLtr1_3_30_04

cc: Chief Administrative Officer
Executive Officer, Board of Supervisors (22)

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION INITIATING PROCEEDINGS FOR THE LEVYING
OF 2004-05 FISCAL YEAR ANNUAL ASSESSMENTS FOR
LANDSCAPE MAINTENANCE PURPOSES IN LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NOS. 1, 2 AND 4
AND ZONES THEREIN AND FOR THE PREPARATION OF ENGINEER'S REPORTS
IN REGARDS TO AN AMENDMENT TO AN EXISTING RATE AND METHOD OF
APPORTIONMENT AND ANNEXATION OF TERRITORY PURSUANT TO
PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972 (PART 2,
DIVISION 15, STREETS AND HIGHWAYS CODE, STATE OF CALIFORNIA) AND AS
PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION**

WHEREAS, on July 12, 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of County Valencia Area-Wide Landscaping and Lighting Act (LLA) District No. 1 and Los Angeles County Landscaping and Lighting Act LLA Districts No. 2 and No. 4, respectively, for the purpose of providing funds for the operation of the County-administered Landscaping and Lighting Act Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, three (3), twenty-five (25) and fifteen (15), separate Zones have been established within the Los Angeles County LLA District Nos. 1, 2 and 4, respectively, with each Zone consisting of territory receiving substantially the same degree of benefit from the improvements; and

WHEREAS, each of the three (3), twenty-five (25) and fifteen (15) Zones within Los Angeles County LLA District Nos. 1, 2 and 4, respectively, retain separate budgets, District Account Codes, Trust Accounts, and Fund Organization Numbers established by the Los Angeles County Auditor-Controller; and

WHEREAS, the Board of Supervisors of the County of Los Angeles previously approved the formation of the existing Landscaping and Lighting Act District/Zones for the purpose of providing funds for the provision of landscape maintenance services located therein pursuant to the Act; and

WHEREAS, the Board of Supervisors of the County of Los Angeles in addition to the approval of the annual levy of assessments proposes to levy and collect assessments against the lots and parcels of land with a new annexation, Fair Oaks Ranch Zone No. 65, Annexation 2 (to be known as Fair Oaks Park), into LLA District No. 4; and

WHEREAS, the Board of Supervisors of the County of Los Angeles additionally proposes to amend the existing rate and method of apportionment for LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for a cost of living adjustment and the method which is used to determine assessments; and

WHEREAS, provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California require the legislative body to adopt a Resolution Initiating Proceedings and generally describing any proposed improvements or substantial changes in existing improvements and ordering the Engineer to prepare and file a report in accordance with Section 22565, et. seq. of the Streets and Highways Code and as provided by Article XIID of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the 2004-05 Fiscal Year to be levied against property in Los Angeles County LLA District Nos. 1, 2 and 4 and the Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, and

Section 2. That the Board of Supervisors of the County of Los Angeles proposes to annex territory (Annexation No. 2) into LLA District No. 4 and establish assessments for park and landscape maintenance purposes for the 2004-05 Fiscal Year pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, and include maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and park

improvements within Los Angeles County LLA District Nos. 1, 2 and 4 and the Zones therein in compliance with procedures set forth in the Streets and Highways Code.

Section 3. That the Board of Supervisors of the County of Los Angeles proposes to amend the existing rate and method of apportionment with regards to LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for a cost of living adjustment and a change in the method in which assessments are determined.

Section 4. That the Director of the Department of Parks and Recreation is hereby ordered to prepare and file reports in accordance with Article 4 commencing with Section 22565, of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code of the State of California.

The foregoing Resolution was on the _____ day of _____, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-
Clerk of the Board of Supervisors of
The County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

LLOYD W. PELLMAN

By: Francis E. Scott
Francis E. Scott
Principal Deputy